

Notice of Allowability

Application No.

09/766,675

Examiner

Norman M. Wright

Applicant(s)

TSUNOO, YUKIYASU

Art Unit

2134

-- **Th MAILING DATE of this communication app ars on th cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to papers filed 11/7/03.
2. ☒ The allowed claim(s) is/are 1-25.
3. ☒ The drawings filed on 23 January 2001 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

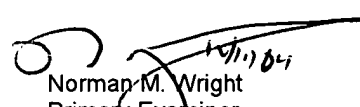
* Certified copies not received: _____

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date various dates
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


Norman M. Wright
Primary Examiner
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DETAILED ACTION

1. Claims 1-25 are present for examination.

EXAMINER'S AMENDMENT

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

The application has been amended as follows:

3. In the title:
 - a. The title has been changed to: --An apparatus and computer-recording medium for evaluation support of encryption algorithm strength--.
4. In the claims:
 - b. In claim 16, line 2, after "...program for a process", please insert --embodied thereon--.

Allowable Subject Matter

5. Claims 1- 25 are allowed.
6. The following is an examiner's statement of reasons for allowance:

Applicant has defined terminology of a figure representation of an encrypted algorithm as being a pre-defined encryption algorithm specification description manner, on page 7, lines 17-20, and 15, lines 4-18 et seq.. The figure also represents a functional block diagram, as recited at page. 16, lines 20-27. This

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language does not encompass terminology in the security, encryption, or memory arts, thereby, allowing the Applicant to be their own lexicographer in defining these terms. Accordingly, a search of the prior art fails to teach or render as obvious the claimed features as a whole and of particular note are:

c. As claimed in claims 1-15, an encryption evaluation support system having an evaluation unit, receiving figure representation of an encryption algorithm, wherein said figure representation includes a plurality of unit figures, and a point storing unit for allocating to said plurality of unit figures. The prior art does teach in general the use of graphical design and graphical programming languages, which may be utilized in the analysis of software design, thereby simplifying its complexity, see Complexity Measurement of a Graphical Programming Language, XP 000095044. Additionally, U.S. Pat. No. 6,504,929, hereinafter '929, by the same inventor, teach the use of support evaluation of cryptographic strength by an apparatus via statistical sampling of data for outputting a table or graph. However, both lack the any teachings of the use and functions of a figure as described above.

d. As to claims 16-25, similarly, it recites the above functions as a process that is to be embodied on a computer readable recording medium. Accordingly, see above for the specifics of the examiner's reason why he indicated that claim 16-25, are allowable over the prior art.

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7. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

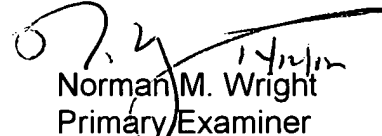
8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Norman Wright whose telephone number is (751) 272-3844. The examiner can normally be reached on Mondays - Thursdays from 9am to 4pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Greg Morse, can be reached on (571) 272-3838. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair->

direct.uspto.gov. Should you have questions on access to the Private PAIR
system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-
free).


Norman M. Wright
Primary Examiner
Art Unit 2134

nmw